

**Alabama Court of Criminal Appeals Docket Sheet****CR-04-2118**PET : Writ of Habeas Corpus**CR-04-2118**

Ex parte Jeffery James Jackson (In re: State of Alabama vs. Jeffery James Jackson)  
 (Montgomery District Court: DC04-487, DC04-488)

**EXPEDITED****Petition Filed : 07/24/2005**Docketed 07/26/2005 CC  
Last Updated // CC**Post Judgment Motions****Attorneys & Officials**

Circuit Clerk	Melissa Rittenour	Montgomery, AL (334) 832-1289
Pro Se Pet.	Jeffery James Jackson	Montgomery, AL ( ) -
District Judge for Resp.	Lucie U. McLemore	Montgomery, AL (334) 832-1391
A.G. for Resp.	Troy King	Montgomery, AL (334) 242-7300
D. A. for Resp.	Eleanor Idelle Brooks	Montgomery, AL (334) 832-2550

**Case Actions / Postings**

07/24/2005 Petition for Writ of Habeas Corpus filed (rec'd 07/26/05)  
**08/02/2005 Petition Denied**  
 09/04/2005 Petition for writ of habeas corpus filed with the SC#1041851.  
 09/28/2005 Order from SC#1041851 petition for a writ of habeas corpus denied.

**END OF DOCKETING INFORMATION**

Buck  
83722

# COURT OF CRIMINAL APPEALS

## STATE OF ALABAMA

H. W. "BUCKY" McMILLAN  
Presiding Judge  
SUE BELL COBB  
PAMELA W. BASCHAB  
GREG SHAW  
A. KELLI WISE  
Judges



Lane W. Mann  
Clerk  
Sonja McKnight  
Assistant Clerk  
(334) 242-4590  
Fax (334) 242-4689

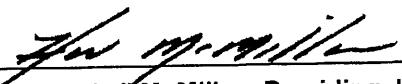
**CR-04-2118**

Ex parte Jeffery James Jackson (In re: State of Alabama vs. Jeffery James Jackson)  
(Montgomery District Court: DC04-487, DC04-488)

### ORDER

Upon consideration of the above referenced Petition for Writ of Habeas Corpus, the Court of Criminal Appeals ORDERS that said petition be and the same is hereby denied.

Done this the 2nd day of August, 2005.

  
H.W. "Bucky" McMillan, Presiding Judge  
Court of Criminal Appeals

cc: Hon. Melissa Rittenour, Circuit Clerk  
Jeffery James Jackson, Pro Se  
Hon. Lucie U. McLemore, District Judge  
Hon. Troy King, Attorney General  
Hon. Eleanor Idelle Brooks, District Attorney

Pruett  
83722

IN THE SUPREME COURT OF ALABAMA  
September 28, 2005

1041851

Ex parte Jeffery James Jackson. PETITION FOR WRIT OF HABEAS CORPUS (In re: State of Alabama vs. Jeffery James Jackson) (Montgomery District Court: DC04-487, DC04-488; Criminal Appeals: CR-04-2118).

ORDER

The petitioner having presented to the Court the petition for a writ of habeas corpus, and the same having been duly examined by the Court,

IT IS ORDERED that the petition for a writ of habeas corpus is denied.

Nabers, C.J., and See, Harwood, Stuart, and Bolin, JJ., concur.

I Robert G. Esdale, Sr., as Clerk of the Supreme Court of Alabama, do hereby certify that the foregoing is a full, true and correct copy of the instrument(s) herewith set out as same appear(s) of record in said Court.

Witness my hand this 28th day of Sept., 2005

*Robert G. Esdale, Sr.*  
Clerk, Supreme Court of Alabama

## COURT OF CRIMINAL APPEALS

STATE OF ALABAMA

04-2118

FILED

JUL 24 2005

Rec'd 7/26/05

CLERK

ALA COURT CRIMINAL APPEALS

STATE OF ALABAMA

PLAINTIFF

VS.

JEFFERY JAMES JACKSON - 16703

CASE NO. D.C. 04-487-488

DEFENDANT

## WRIT OF HABEAS CORPUS

COMES NOW, THE PETITIONER JEFFERY JAMES JACKSON PRO SE, PETITION THIS HONORABLE COURT IN THE ABOVE STYLED CAUSE. THE PETITIONER STATES THE FOLLOWING GROUNDS TO SUPPORT HIS PETITION FOR RELIEF:

(1.) PETITIONER IS IN THE CUSTODY OF MONTGOMERY CO. SHERIFF D. T. MARSHALL. THE BASIS OF THE STATE'S CUSTODY IS A FABRICATED COMPLAINT MADE BY DETECTIVE GUY NAQUIN.

(2.) PETITIONER WAS ARRESTED AND CHARGED IN FEBRUARY, 2004 AND HASN'T BEEN INDICTED BY THE MONTGOMERY CO. GRAND JURY.

(3.) PRELIMINARY HEARING WAS HELD ON MARCH 26, 2004 BEFORE THE HON. JUDGE LUCIE M. LEMORE, DISTRICT COURT JUDGE. JUDGE M. LEMORE FOUND THAT THERE WAS PROBABLE CAUSE FOR THE PETITIONER'S ARREST BASED ON THE ORIGINAL FABRICATED COMPLAINT MADE BY DETECTIVE GUY NAQUIN.

(4.) THE STATE'S CUSTODY OF THE PETITIONER VIOLATES THE CONSTITUTION AND THE LAWS OF THE UNITED STATES. THE STATE'S CUSTODY OF THE PETITIONER ISN'T VALID OR CONSTITUTIONAL.

(5.) PURSUANT TO DET. GUY NAQUIN'S ARREST REPORT,

IT SHOWS THAT THE PETITIONER RESISTED ARREST AFTER A ACCIDENT THAT CAUSED HIM TO BE HOSPITALIZED FROM FEB. 9, 2004 UNTIL FEB. 13, 2004. DET. GUY NAQUIN ALSO ACCUSES THE PETITIONER OF POSSESSING A HAND-GLIN, BOTH CHARGES WAS FABRICATED AND HASN'T BEEN PRESENTED TO THE MONTGOMERY CO. GRAND JURY. AFTER THE PRELIMINARY HEARING, ON MARCH 26, 2004, THE ONLY WITNESS THE STATE OFFERED WAS DET. GUY NAQUIN, HE TESTIFIED TO THE PETITIONER COMMITTING WRONGFUL ACTS. THE DETECTIVE COMMITTED PERJURY. THE MONTGOMERY POLICE DEPARTMENT, THE PARAMEDICS WHO SAVED MY LIFE OR WITNESSES AT THE SCENE OF THE ACCIDENT WOULD'NT SUPPORT OR CONERN OFFICER NAQUIN CLAIMS. THE PETITIONER WAS UNCONSCIOUS AT THE TIME THE POLICE AND PARAMEDIC ARRIVED AT THE SCENE OF THE APPARENT ACCIDENT THAT KILLED THE DRIVER, MARK CIENTAT. PETITIONER HAS BEEN UNLAWFULLY DETAINED OVER 17 MONTHS.

#### CONCLUSION

THE PETITIONER IS UNLAWFULLY IN THE CUSTODY OF THE STATE OF ALABAMA, PARTICULARLY THE MONTGOMERY CO. SHERIFF'S DEPARTMENT. THE STATE'S CUSTODY IS BASED ON A FABRICATED COMPLAINT. THE STATE HAVE NOT PRESENTED MY CASE TO THE MONTGOMERY CO. GRAND JURY, DENYING THE PETITIONER HIS 5TH AMENDMENT RIGHT. THE STATE IS REQUIRED TO GRANT TRIAL BY JURY IN CRIMINAL CASES BY PROVISIONS FOUND IN THE BODY OF THE CONSTITUTION(ARTICLE III, SECTION 2) AND THE 6 AMENDMENT. THE STATES MUST RECOGNIZE THAT TRIAL BY JURY IS A FUNDAMENTAL RIGHT IN CRIMINAL CASES.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY THAT A COPY OF THE FOREGOING  
PETITION HAS BEEN SERVED, BY HAND DELIVERY, U.S.  
MAIL, POSTAGE PREPAID AND PROPERLY ADDRESSED  
TO THE HON. MELISSA RITTENOUR, HON. LUCIE MCLEMORE, HON. TROY KING,  
HON. ELEANOR I. BROOKS.

HON. MELISSA RITTENOUR

CIRCUIT CLERK

P.O. BOX 1667  
MONTGOMERY, AL. 36102

TROY KING

ATTORNEY GENERAL

11 SO. LINNIN ST.

MONTGOMERY, AL. 36130

HON. LUCIE MCLEMORE

DISTRICT JUDGE

251 3RD ST. N., MONTGOMERY,  
MONTGOMERY, AL. 36104

ELEANOR I. BROOKS

DISTRICT ATTORNEY

100 SO. LAWRENCE ST.

MONTGOMERY, AL. 36104

DONE THIS 24TH DAY OF JULY 2005.

Jeffery J. Jackson  
JEFFERY J. JACKSON

PETITIONER

IN THE SUPREME COURT OF ALABAMA  
September 28, 2005

1041851

FILED

SEP 28 2005

CLERK  
ALA COURT CRIMINAL APPEALS

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ORDER

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for a writ of habeas corpus, and the same having been duly  
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IT IS ORDERED that the petition for a writ of  
habeas corpus is denied.

Nabers, C.J., and See, Harwood, Stuart, and Bolin, JJ.,  
concur.

I Robert G. Esdale, Sr., as Clerk of the Supreme Court  
of Alabama, do hereby certify that the foregoing is  
a full, true and correct copy of the instrument(s)  
herewith set out as same appear(s) of record in said  
Court.

Witness my hand this 28th day of Sept., 2005

*Robert G. Esdale, Sr.*  
Clerk, Supreme Court of Alabama